

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MORGANNE MILES, by her mother KRYSTAL
TITUS; OLIVIA MILES, by her mother KRYSTAL
TITUS; PASCALE MOSSIN, by her mother
AMY MARGARET MCCUTCIN; THEO CHAN,
by his father SUNNY CHAN; LEAH CHAN,
by her father, SUNNY CHAN,

08-CV-0432

Plaintiffs,

v.

MICHAEL O. LEAVITT, Secretary, United States
Department of Health and Human Services,

Defendant.

DECLARATION OF MAIL AND PERSONAL SERVICE

I, ELISABETH R. BENJAMIN, declare under penalty of perjury pursuant to 28
U.S.C. § 1746, that the following is true and correct.

I declare that I am an attorney with the Community Service Society of New York,
105 East 22nd Street, New York, NY 10010. On the date given below, I personally served
the person/entity identified below a true copy of the summons and complaint in this
action.

DATE OF SERVICE: January 17, 2008

PLACE OF SERVICES: 86 Chambers Street, New York, New York 10007

PERSON/ENTITY TO WHOM SERVED:

Michael Garcia, United States Attorney, Attorney for Defendant Leavitt.

I further declare that on January 17, 2008, I served by Priority Mail Defendant
Attorney General Michael Mukasey, United States Department of Justice, 950 Pennsylvania
Avenue, NW, Washington, DC 20530-0001 and Secretary Michael Leavitt, United States

Department of Health and Human Services, 200 Independence Avenue, SW, Washington, DC, 20201.

Dated: New York, NY
January 23, 2008

Respectfully submitted,

MORGANNE MILES, by her mother KRYSTAL TITUS; OLIVIA MILES, by her mother KRYSTAL TITUS; PASCALE MOSSIN, by her mother AMY MARGARET MCCUTCIN; THEO CHAN, by his father SUNNY CHAN; LEAH CHAN, by her father, SUNNY CHAN,

Through their attorneys,

____/s/ Elisabeth Ryden Benjamin (EB-0652)____
Juan Cartagena, General Counsel (JC-5087)
Elisabeth Ryden Benjamin (EB-0652)
Michelle Light*
Community Service Society of New York
105 East 22nd St., 2nd Floor
New York, NY 10010
(212) 614-5461

Bryan D. Hetherington (BH-8363)
Trilby de Jung
Empire Justice Center
One West Main Street, Suite 200
Rochester, NY 14614
(585) 454-4060

Jane Perkins*
National Health Law Program
211 N. Columbia Street
Chapel Hill, NC 27154
(919) 968-6308 (x102)

Gill Deford
Center for Medicare Advocacy
PO Box 350
Willimantic, CT 06226
(860) 456-2614

* Not admitted in the Southern District of New
York

TO: Michael Garcia
U.S. Attorney for the Southern District of New York
Civil Division
86 Chambers Street
New York, NY 10007